GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA

UNSTARRED QUESTION NO:2725
ANSWERED ON:02.08.2016
Fake Products
Ahmed Shri Sultan

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether there is any regulatory body in place to check fake advertisements and products and if so, the details thereof;
(b) whether any search and seizure operations were conducted against companies involved in such practices and if so, the details thereof indicating the number of individuals caught during the last three years and the current year; and
(c) the reasons for lack of vigilance and monitoring of manufacturing and sale of fake products?

Answer

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI C. R. CHAUDHARY)

(a) : A three tier quasi-judicial mechanism has been set up under the Consumer Protection Act 1986 at the District, State and National levels, where a consumer can make a complaint against misleading advertisements, which are treated as unfair trade practice.

The Department of Consumer Affairs has also launched a portal to enable consumers to register Grievances Against Misleading Advertisements (GAMA). After preliminary scrutiny of the grievances registered on the portal, the grievances are forwarded to the State Governments concerned or the respective Central Regulators, as the case may be.
The Ministry of Information and Broadcasting has constituted a composite Inter Ministerial Committee (IMC) under the chairmanship of the Additional Secretary (I&B) and comprising officers drawn from various Ministries concerned to take cognizance sou-motu or look into specific complaints regarding violation of the Programme Code and Advertising Code.
Different Regulatory Bodies look into different products such as the Food Safety and Standards Authority of India is concerned with food products, the Central Drug Controller with medicines etc. Under the Department of Consumer Affairs, the Bureau of Indian Standards looks into complaints on misuse of ISI mark, and quality of ISI marked products.

(b) : On the receipt of complaints relating to the quality of ISI marked products, investigation is carried out by the Bureau of Indian Standards at the complainant end as well as at the manufacturer end. Based on the outcome, action is taken which, inter alia, include stop marking, cancellation/expiry of the Licence and/or replacement of the product to the consumer. In case of complaints regarding misuse of ISI mark, search and seizure operation is carried out after discreet investigation.

The search & seizure (raids) operations carried out by the Bureau of Indian Standards in the last three years and the current year is as under:

Year 2013-14 2014-15 2015-16 2016-17 (up to 27 July 2016)
Number of raids 97 70 128 32

(c) : Does not arise.
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